

**MINUTES
KENOSHA COUNTY
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE
Wednesday, May 11, 2016**

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, May 11, 2016 at 6:00 p.m. in the Kenosha County Center Public Hearing Room, 19600 -75th Street, Bristol, Wisconsin.

Members Present: Supervisors John Poole, Michael Skalitzky, Jill Gillmore

Members Excused: Supervisors Erin Decker and Steve Bostrom

Youth In Governance Representatives Present: Tyler McCarthy and Michael Hertel

UW-Extension Staff Present: Tedi Winnett, Director, UW-Extension, Jeanne Hilinske-Christensen, Amy Greil, Barbara Larson, Leigh Presley, and Teresa Ward

Also in Attendance for the public hearings on land use items:

Andy M. Buehler, Director, Division of Planning Operations
April A. Webb, Senior Administrative Assistant

The meeting was called to order at 6:00 p.m. by Vice Chairman Poole.

1. **Certification of Compliance with Wisconsin Open Meetings Law:** The committee certified that all requirements of the Wisconsin Open Meetings Law had been met
2. Supervisor Skalitzky acknowledged the contributions of the Youth In Governance members, Michael Hertel and Tyler McCarthy. On behalf of the committee, he thanked them for their service.

Introductions were made.
3. **UW-Extension Orientation:** Tedi Winnett, Director and Extension Educators provided an overview of the UW-Extension Cooperative Extension office and local programs.
4. **Youth In Governance Orientation & Appointment Ceremony – May 17th:** Tedi explained that the new 14 Youth In Governance members will participate in an orientation on Tuesday, May 17th prior to the County Board meeting. At the County Board meeting the outgoing 2015-16 YIG members will be recognized and the incoming 2016-17 YIG members will be appointed. Two YIG members, Eddie Korando and Rianna Hrycay will give brief remarks as they have each served 2 years as YIG members. YIG Mentors will have an orientation with the County Board Chairwoman prior to the County Board meeting. At 7pm there is a reception for everyone to meet the new YIG members.
5. **Wisconsin Associated County Extension Committees, Inc. (WACEC):** Tedi explained that as a member of the PDEEC, supervisors are members of WACEC. This is the statewide organization of all county extension committees. There is an annual

conference. The 2016 conference will be June 20-21 in Wausau. Supervisor Erin Decker will be recognized with a 5 year certificate.

6. **nExt Generation: Cooperative Extension Reorganization:** Tedi distributed a handout explaining the current reorganization process. Kenosha and Racine Counties will be combined into one program unit while maintaining a county extension office in each county. There will be a meeting between the two county extension committees on Monday, August 29th.
7. **UW-Extension Director Updates:** Tedi indicated that she encouraged PDEEC members to attend the August 29th meeting with Racine County to learn more about the reorganization process. She indicated that she is available to meet with supervisors any time they have any questions or concerns about UW-Extension.

Supervisor Skalitzky gave acknowledgment remarks for the current Youth In Governance members, thanking them for their service.

Vice Chairman Poole called for a brief recess prior to reconvening for the Public Hearing portion of this meeting.

After a brief recess, the Public Hearing was called to order at 7:00 p.m. in the Public Hearing Room (Recording #2 of 2).

Vice Chairman Poole called for introductions of committee members, youth in governance, and staff.

8. **REVIEW AND POSSIBLE APPROVAL – RESOLUTION REQUEST TO APPROVE THE APPOINTMENT OF LT. GIL BENN TO SERVE ON THE KENOSHA COUNTY LAND INFORMATION COUNCIL – APPROVED (1:27)**

Mr. Buehler presented this item.

- Supervisor Skalitzky made a motion to approve and recommend to the Kenosha County Board of Supervisors the appointment of Lt. Gil Benn to serve on the Kenosha County Land Information Council. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

9. **JOSEPH A. & LAURA J. WOLKOBER (OWNER) – COMPREHENSIVE PLAN AMENDMENT – BRIGHTON – APPROVED (2:05)**

Public Hearing on Proposed Comprehensive Plan Amendment, Joseph A. & Laura J. Wolkober, 22105 31st St., Bristol, WI 53104-9102 (Owner), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Farmland Protection" to "General Agricultural & Open Land" on Tax Parcel #30-4-220-251-0200 located in the NE ¼ of Section 25, T2N, R20E, Town of Brighton.

Joseph Wolkober was in attendance to speak on this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the Comprehensive Plan Amendment for Joseph A. & Laura J. Wolkober (Owner). The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

10. **JOSEPH A. & LAURA J. WOLKOBER (OWNER) – REZONING – BRIGHTON – APPROVED (6:03)**

Joseph A. & Laura J. Wolkober, 22105 31st St., Bristol, WI 53104-9102 (Owner), requesting a rezoning from A-1 Agricultural Preservation Dist. to A-2 General Agricultural Dist. on Tax Parcel #30-4-220-251-0200 located in the NE ¼ of Section 25, T2N, R20E, Town of Brighton.

Joseph Wolkober was in attendance to speak on this item.

- Supervisor Gillmore made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Joseph A. & Laura J. Wolkober (Owner). The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present. Youth In Governance: McCarthy - aye; Hertel - aye.

11. **KENOSHA BEEF INTERNATIONAL LTD. (OWNER) – MARK D. EBERLE (AGENT) – COMPREHENSIVE PLAN AMENDMENT – PARIS – APPROVED (8:55)**

Public Hearing on Proposed Comprehensive Plan Amendment, Kenosha Beef International Ltd., PO Box 639, Kenosha, WI 53141-0639 (Owner), Mark D. Eberle, 1458 Horizon Blvd., Suite 200, Mt. Pleasant, WI 53406 (Agent), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Farmland Protection" & "SEC" to "Farmland Protection", "Industrial" & "SEC" on Tax Parcel #45-4-221-232-0301 located in W ½ Section 23, T2N, R21E, Town of Paris.

Dennis Vigneri (Owner) and Mark Molinaro, Partners In Design, were in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the Comprehensive Plan Amendment for Kenosha Beef International Ltd. (Owner) and Mark D. Eberle (Agent). The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

12. **KENOSHA BEEF INTERNATIONAL LTD. (OWNER) – MARK D. EBERLE (AGENT) – REZONING – PARIS – APPROVED (16:45)**

Kenosha Beef International Ltd., PO Box 639, Kenosha, WI 53141-0639 (Owner), Mark D. Eberle., 1458 Horizon Blvd., Suite 200, Mt. Pleasant, WI 53406 (Agent), requesting a rezoning from A-1 Agricultural Preservation Dist., M-2 Heavy Manufacturing Dist. and C-1 Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., M-2 Heavy Manufacturing Dist. and C-1 Lowland Resource Conservancy Dist. on Tax Parcel

#45-4-221-232-0301 located in W ½ Section 23, T2N, R21E, Town of Paris.

Dennis Vigneri (Owner) and Mark Molinaro, Partners In Design, were in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Kenosha Beef International Ltd. (Owner) and Mark D. Eberle (Agent). The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. Youth In Governance: McCarthy - aye; Hertel - aye.

13. **KENOSHA BEEF INTERNATIONAL LTD. (OWNER) – MARK MOLINARO, JR. (AGENT) – CONDITIONAL USE PERMIT – PARIS – APPROVED (19:09)**

Kenosha Beef International Ltd., PO Box 639, Kenosha, WI 53141-0639 (Owner), Mark Molinaro, Jr., 600 52nd St., Suite 220, Kenosha, WI 53140 (Agent), requesting an amendment to an existing conditional use permit to allow an expansion of the existing facility in the M-2 Heavy Manufacturing Dist. on Tax Parcel #45-4-221-233-0400 located in SW ¼ Section 23 & NW ¼ Section 26, T2N, R21E, Town of Paris.

Dennis Vigneri (Owner) and Mark Molinaro, Partners In Design, were in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** the Conditional Use Permit for Kenosha Beef International Ltd. (Owner) and Mark D. Eberle (Agent), subject the following conditions:

1. Subject to all other conditions of approval from previously approved conditional use permits listed below (Exhibit A, attached).

| | |
|--------------------|--|
| November 10, 1993 | Conditional Use Permit for Facilities Expansion |
| June 14, 1995 | Conditional Use Permit for Facilities Expansion |
| June 11, 1997 | Conditional Use Permit for Facilities Expansion |
| September 10, 2003 | Conditional Use Permit for Facilities Expansion |
| August 11, 2004 | Conditional Use Permit for Facilities Expansion |
| June 13, 2007 | Conditional Use Permit for Facilities Expansion (wastewater treatment) |
| October 14, 2009 | Conditional Use Permit for Facilities Expansion |

2. Subject to the application stamped received by the office of Planning and Development on April 8, 2016.
3. Subject to that approved by the Town of Paris at their April 26, 2016 Town Board meeting (Exhibit B, attached).
4. Subject to any newly proposed outdoor lighting installations being reviewed and approved by the Town of Paris planner prior to installation.
5. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)70 a thru b; Meat

packing, slaughterhouse and production of sausages and other meat products in the A-3 and M-2 Districts (shown below):

- a. Those requirements set forth for the granting of a conditional use permit for animal reduction in the M-2 District shall be complied with.
 - b. No permit shall be issued unless all operations are conducted within an enclosed building.
6. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)7 a thru g; Animal reduction in the M-2 Districts (shown below):
- a. The site shall contain at least five (5) acres and have an average lot width of at least three hundred (300) feet.
 - b. The site shall have direct access to a Federal, State or County Trunk Highway.
 - c. Buildings, structures and storage areas shall be located in conformance with the yard requirements of the zone in which they are located, except that no buildings, structures or storage areas shall be located within one hundred (100) feet of any district boundary line. However, any setback from a railroad right-of-way need not exceed five (5) feet.

Note: Let it be known that the aforementioned facility has undergone multiple expansions during the last two decades, in many cases allowing additions to a building not meeting the required 100-foot setback noted above. Let it be known that given the pre-existing building layout on the properties and the existence of a residence at the southwest corner of the site, it is understood that the required 100-foot separation distance around the entire proposed M-2 Heavy Manufacturing zoning district line cannot reasonably be acquired at this time and that although the 2010 lot line adjustment did not make the relationship between the zoning line and building a conforming one, it has drastically reduced the non-conformity by placing the principle buildings, parking lots and outdoor storage on a single tax key parcel and within the designated M-2 Heavy Manufacturing District.

- d. A bond or other form of surety may be required so as to insure compliance with performance standards set forth in this ordinance.

Note: No such form of surety is being required at this time.

- e. An application for a conditional use permit for an animal reduction plant shall be accompanied by a report setting forth the proposed operation of the plant and also indicating the method of collection, handling, disposal and storage of all waste and by-products and in addition thereto, a report may be required from an appropriate health authority indicating the appropriateness of the site selection and the proposed plant operation as it may affect the public health.

Note: No such report is being required at this time as the facility operation is pre-existing.

- f. Prior to the commencement of the operation, copies of any licenses or permits from all appropriate county, state and/or federal agencies shall be submitted to the Kenosha County Office of Planning and Zoning Administration.
- g. Periodic evaluations may be required so as to determine compliance with the provisions of this ordinance and the permit granted pursuant to it.
7. Subject to compliance with the Wisconsin Department of Natural Resources with regards to waste water treatment facilities.
8. The developer is responsible during infrastructure construction for maintenance of existing subsurface drainage systems (field tile). The incidental breaking or plugging of existing tiles should be avoided. Disrupted tile(s) shall be repaired, replaced, or rerouted. Note: drain tiles often do not carry water all year long; therefore a dry tile should not be regarded as abandoned.
9. The applicant shall apply for a zoning permit from the Department of Planning and Development prior to commencement of construction.
10. The applicant is responsible for all appropriate state and local permits and licenses required in the expansion of their business.
11. Subject to the requirements of the Kenosha County Stormwater Management, Erosion Control and Illicit Discharge Ordinance and subject to the May 4, 2016 review letter from Kenneth P. Ward, P.E. of Ruckert & Mielke, Inc. regarding the pending stormwater permit application.
12. Subject to the requirements of the Kenosha County Sanitary Code & Private Sewage System Ordinance.
13. Subject to receiving a permit for any and all proposed access points to the abutting County Trunk Highway including any incidental items proposed to be located within the right-of-way of the abutting County Trunk Highway. The permit must be fully executed prior to commencing any preliminary grading work.
14. No changes or expansion of the submitted plan of operation, change in use, and/or proposed addition(s) to any existing principal building(s) or proposed new principal building(s) shall take place without the petitioner reapplying for a Conditional Use Permit to the Planning, Development and Extension Education Committee for its review and approval.
15. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance.

Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.

16. If property ownership shall happen to change then it is the responsibility of the person(s) that signed these conditions to notify new owner of all above stated conditions of approval. Any changes or deviations from the above referenced approved plans will require additional review and approval and will be subject to additional fees by Planning and Development.

The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

14. **JEOM O. CHO (OWNER) – JEAN A. LIPSTREUER (AGENT) – CONDITIONAL USE PERMIT – SALEM – APPROVED (25:13)**

Jeom O. Cho, 201 Bridle Path Ln., Fox River Grove, IL 60021-1255 (Owner), Jean A. Lipstreuer, JB Resale and Collectibles LLC, 1231 Lance Dr., Twin Lakes, WI 53181 (Agent), requesting renewal of a conditional use permit for outdoor sales display in the B-3 Highway Business Dist. on Tax Parcel #65-4-120-063-0200 located in SW ¼ Section 6, T1N, R20E, Town of Salem.

John Lipstreuer was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** the Conditional Use Permit for Jeom O. Cho (Owner) and Jean A. Lipstreuer (Agent), subject the following conditions:

1. Subject to the application received by the office of Planning and Development on March 29, 2016.
2. Subject to that approved by the Town of Salem Town Board on May 9, 2016 (Exhibit A, attached).
3. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)101 a & b; recreational vehicle, motor home or similar large size equipment or vehicle sales involving extensive outdoor display and storage in the B-3 District (shown below):
 - a. Those requirements set forth for the granting of a conditional use permit for automotive sales, service and repairs in the B-2 and B-3 Districts shall be complied with.

Note: The aforementioned requirements are shown below in condition #4.

- b. A detailed site plan and storm water drainage plan shall be submitted to the Planning, Development & Extension Education Committee for approval with said plans taking into consideration security, fencing, lighting, location of signs, and traffic and parking proposals.
4. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)14 a through c;

automotive sales service and repairs in the B-3 Highway Business District (shown below):

- a. All servicing and repair work shall be within an enclosed structure. Repair materials, new, used or junk parts shall not be stored outside unless the storage area has a solid fence enclosure. Junk materials shall be removed at least once a month to avoid unsightliness of the site. Fences shall be of uniform design and height and be properly maintained for aesthetic purposes.

Note: No servicing and/or repair of automobiles is being proposed by the applicant.

- b. No cars shall be parked within the vision triangle and all parking lots shall meet all yard requirements.

Note: Pavement within the State Trunk Highway 50 right-of-way was removed in accordance with the applicant's 2014 Conditional Use Permit conditions of approval.

- c. Lights shall not be beamed directly onto adjoining property.
5. The outdoor display of retail items shall be limited to that area indicated as "Proposed Outdoor Display Area" on the site plan included with the application received by Planning and Development on May 9, 2016.
6. Any new principal or accessory uses and structures shall be subject to approval of a site plan review, pursuant to Section 12.08-2 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.
7. The addition of any new impervious surface area shall be subject to review by the Department of Planning and Development. Additional impervious surface area in excess of ½ acre will require a stormwater permit to be issued.

Note: The applicant at this time is not proposing any new impervious surface.

8. Any dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
9. Any newly proposed outdoor lighting shall consist of full cut-off luminaries and shall not exceed an illumination level of 0.5 footcandles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner so as to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaries only). No protruding lenses are allowed and lenses must be constructed so as to be parallel to the constructed yard grade. Light fixtures for building lighting shall be carefully located, aimed and shielded so that light is directed only onto the building façade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.

10. A zoning permit shall be applied for and issued by the Department of Planning and Development prior to commencing construction of any structure(s) (i.e. accessory structures, building addition(s), fencing, signage, etc...).
11. Any substantial change of the submitted plan of operation, change in use, and/or proposed addition(s) to any existing principal building(s) or proposed new principal building(s) shall require the property owner and/or tenant to reapply for a Conditional Use Permit to the Kenosha County Planning, Development and Extension Education Committee for its review and approval.
12. It is the total responsibility of the property owner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.
13. If property ownership and/or tenant shall happen to change then it is the responsibility of the person(s) that signed these conditions to notify new owner and/or tenant of all above stated conditions of approval. Any new owner and/or tenant must contact the Kenosha County Department of Planning and Development to discuss use and obtain a certificate of compliance. Any change in ownership and/or tenant will require additional review and approval and will be subject to additional fees by Planning and Development.

The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

15. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – COMPREHENSIVE PLAN AMENDMENT – WHEATLAND – REMAINS TABLED (29:49)**

Tabled Request of Public Hearing on Proposed Comprehensive Plan Amendment, Action 50 LLC, 420 W. Westleigh Rd., Lake Forest, IL 60045 (Owner), Mark Merkling, 5675 392nd Ave., Burlington, WI 53105 (Agent), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Suburban-Density Residential" & "Non-Farmed Wetland" to "Commercial" and "Non-Farmed Wetland" on Tax Parcel #95-4-219-314-0640 located in Section 31, T2N, R19E, Town of Wheatland.

Mr. Buehler noted that these items should move forward on the PDEEC agenda in July as the information regarding stormwater issues has been compiled and is expected to be presented to the Town in June.

16. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – REZONING – WHEATLAND – REMAINS TABLED (29:49)**

Tabled Request of Action 50 LLC, 420 W. Westleigh Rd., Lake Forest, IL 60045 (Owner), Mark Merkling, 5675 392nd Ave., Burlington, WI 53105 (Agent), requesting a rezoning from A-2 General Agricultural Dist. to B-3 Highway Business Dist. & C-1

Lowland Resource Conservancy Dist. on Tax Parcel #95-4-219-314-0640 located in SE ¼ Section 31, T2N, R19E, Town of Wheatland.

17. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – CONDITIONAL USE PERMIT – WHEATLAND – REMAINS TABLED (29:49)**

Tabled Request of Action 50 LLC, 420 W. Westleigh Rd., Lake Forest, IL 60045 (Owner), Mark Merkling, 5675 392nd Ave., Burlington, WI 53105 (Agent), requesting a Conditional Use Permit for Recreational Vehicle (RV) sales, service and outdoor display & storage in the B-3 Highway Business Dist. on Tax Parcel #95-4-219-314-0640 located in SE ¼ Section 31, T2N, R19E, Town of Wheatland

18. **REVIEW AND POSSIBLE APPROVAL – ORDINANCE – PROPOSED AMENDMENTS TO CHAPTER 17 KENOSHA COUNTY STORMWATER, EROSION CONTROL AND ILLICIT DISCHARGE ORDINANCE – APPROVED (31:04)**

Proposed amendments to Chapter 17 Kenosha County Stormwater, Erosion Control And Illicit Discharge Ordinance amending; statutory references; department and committee name references; and update the sections and definitions to be compliant with conditions mandated by the Wisconsin Department of Natural Resources - Wisconsin Pollutant Discharge Elimination System Program and consistent with performance standards of the Wisconsin Administrative Code Chapter NR 151

Mr. Buehler presented this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the amendments to Chapter 17 as presented. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. Youth In Governance: McCarthy - aye; Hertel - aye.

19. **CERTIFIED SURVEYS AND OTHER LAND DIVISIONS - NONE**

20. **APPROVAL OF MINUTES - APPROVED**

- Supervisor Skalitzky made a motion to approve the minutes as presented of the April 13, 2016 Planning, Development and Extension Education Committee meeting. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present.

21. **CITIZEN COMMENTS - NONE**

22. **ANY OTHER BUSINESS ALLOWED BY LAW (35:35)**

Mr. Buehler noted there were four items for the June agenda.

23. **ADJOURNMENT**

- Supervisor Skalitzky made a motion to adjourn the meeting. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. The meeting was adjourned at 7:42 p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, June 8, 2016.